

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KARANYA DUDLEY, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-09-2076
§
SHERRY, ARK/TEX COUNCIL OF §
GOVERNMENT, §
§
Defendant. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION AND DISMISSING
CASE WITHOUT PREJUDICE**

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on January 8, 2010. No objections have been filed. The court has made a *de novo* determination. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989).

Based on the pleadings, the record, and the applicable law, this court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that the plaintiff's complaint should be dismissed under 28 U.S.C. § 1915(e)(2). The dismissal is without prejudice.

SIGNED on January 27, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge